

Atty. Dkt. No. 076326-0194

REMARKS

The Office Action mailed August 27, 2003, has been reviewed and the Examiner's comments carefully considered. In view of the remarks below, claims 1-5, 7-9, 15, and 16 are pending and are submitted for reconsideration.

35 U.S.C. § 102 Rejection

Claims 1-3, 7-9, and 15 are rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,082,310 (Bauer). Of these claims, claim 1 is independent. Applicants respectfully traverse the rejection for at least the reasons set forth below.

Bauer cannot anticipate the present invention because Bauer does not disclose, teach, or suggest every element set forth in the claimed invention. For example, claim 1 recites a method that includes "cutting a tear line of a predetermined pattern through the support layer and into the decorative layer with the cutter while controlling the depth of cut relative to the support."

In contrast, Bauer teaches that the "cutting blade 72 has . . . guide elements 74 such as rollers adapted to rest on the surface of the skin 38 as the blade 72 traverses the skin 38." (Bauer at col. 5, lines 60-63.) As the rollers traverse the skin 38, only the skin 38 is cut. (Bauer at Fig. 7.) The pre-weakened decorative skin layer 38 is then "wrapped and bonded (by the heat of injection of the foam 36) in position overlying the outside layer of foam plastic deposited over both upper door 20 and lower door 22." (Bauer at col. 4, lines 33-40.) Thus, the skin 38 is pre-weakened before it is bonded to the foam plastic support layer. As recited in claim 1 of Bauer, the foam plastic support layer beneath the skin is "uninterrupted" while the decorative skin is "partially cut." Therefore, Bauer cannot anticipate the present invention because Bauer teaches cutting into the decorative layer only, not cutting "through the support layer and into the decorative layer," as recited in claim 1.

Moreover, Applicants respectfully disagree with the Examiner's assertion that Figure 7 of Bauer "illustrates the depth of cut is relative to the surface of the skin and the cutting support because all elements are connected." (Office Action at page 4.) Bauer teaches, in the paragraph bridging columns 5 and 6, that Figure 7 discloses "placing the skin 38 on a bed of a more easily compressed material than that of the skin, i.e., for example a layer of neoprene 77

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rubber may be placed beneath a vinyl skin 38. . . . This allows a slight deflection of the vinyl skin away from the cutting edge 76 to relieve excessive compression leading to erratic and inconsistent results." Thus, Bauer discloses that the skin 38 may move toward the support shown in Fig. 7 during the cutting operation. Even if "all elements are connected," as the Examiner contends, Bauer's disclosure of the ability of the skin 38 to move toward the support during cutting with no corresponding disclosure of how to account for such movement teaches away from "controlling the depth of cut relative to the support," as recited in claim 1.

Furthermore, Applicants also continue to maintain that the rejection should be withdrawn for the reasons set forth in the Amendment and Reply of June 11, 2003. Applicants' earlier arguments are incorporated herein by reference but are omitted for the sake of brevity.

For at least the reasons set forth above, reconsideration and withdrawal of the rejection of claim 1 is respectfully requested. Claims 2-4, 7-9, 15, and 16 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to further patentable limitations contained therein. Reconsideration and withdrawal of the rejection of claims 2, 3, 7-9 and 15 is respectfully requested.

### 35 U.S.C. § 103 Rejection

Claim 4 is rejected under 35 U.S.C. § 103(a) as unpatentable over Bauer in view of Canadian Patent Application No. 2,205,284 (Towler). Claim 5 is rejected under 35 U.S.C. § 103(a) as unpatentable over Bauer in view of U.S. Patent No. 4,920,495 (Pilkington). Claim 16 is rejected under 35 U.S.C. § 103(a) as unpatentable over Bauer in view of German Patent No. DE 44 24 686 A1. Of these claims, claim 5 is independent. Claims 4 and 16 depend from independent claim 1. Applicants respectfully traverse the rejection for at least the reasons set forth below.

*A prima facie* case of obviousness has not been established because the cited references do not teach or suggest all of the claim limitations. For example, claims 1 and 5 recite "cutting a tear line of a predetermined pattern through the support layer and into the decorative layer with the cutter while controlling the depth of cut relative to the support." As discussed above, Bauer does not teach the recited limitation. Additionally, Towler,

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Pilkington, and DE 44 24 686 A1 do not overcome the deficiencies of Bauer. Thus, claims 4, 5, and 16 are allowable for at least the reasons set forth above, without regard to further patentable limitations contained therein.

### Conclusion

In view of the foregoing remarks, Applicants believe that the application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested. If there are any questions regarding the prosecution of this application, the Examiner is invited to contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

Date 11/26/03

By Joan Corey 52,769  
FOR

Customer Number: 22428



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